

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GREGORY F.	:	JURY TRIAL DEMANDED
ZACHARY F.,	:	
	:	
	:	CIVIL ACTION NO. 23-cv-00161-JDW
Plaintiffs,	:	
	:	
v.	:	
	:	
SOVEREIGN PROPERTY	:	
MANAGEMENT,	:	
	:	
	:	
Defendant.	:	

STIPULATED MOTION FOR VOLUNTARY DISMISSAL

Plaintiffs move the Court, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, to dismiss this action and, in support thereof, state the following:

1. This is an action brought under the Fair Housing Act, 42 U.S.C. §3601, *et seq.*, in which plaintiffs contend that defendant discriminated against plaintiffs based on plaintiff Zachary's development disability when defendant sought to evict him from his rental apartment. Plaintiffs also asserted a breach of contract by defendant.
2. Defendant denies all liability to plaintiffs and contends that its intended eviction was based upon non-discriminatory reasons.
3. In order to resolve this dispute, the parties have entered into a Conduct Agreement, pursuant to which plaintiff Zachary, among other things, will conform his conduct to a standard appropriate for a tenant in a residential apartment building. The parties agree that compliance with the Conduct Agreement is a material term of the parties' resolution of this matter.

4. In addition, the parties have entered into a Settlement Agreement and Release which governs the terms of the resolution of this dispute.

5. In consideration of the Conduct Agreement and the Settlement Agreement and Release, the parties agree that the dismissal of this action by the Court should be with prejudice.

WHEREFORE, for these reasons and for cause shown, the parties request that the action be dismissed.

AGREED TO:

/s/
DAVID F. McCOMB
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Tel. 267-765-9628

Attorney for Plaintiffs

AGREED TO:

/s/
GINO P. MECOLI
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Attorney for Defendant

DATED: July 27, 2023

CERTIFICATE OF SERVICE

I, David F. McComb, hereby certify that I served this document by making it available for viewing by all registered users of the Court's ECF system.

/s/
DAVID F. McCOMB

DATED: July 27, 2023